

REMARKS

Favorable reconsideration of this application is requested in view of the above amendments and the following remarks. Claims 1-11 are amended to correct grammatical errors, claims 12, 17 and 19 are amended and claims 20-21 are newly added. Support for the amendments can be found at least on page 7, line 30 to page 8, line 26. Claims 1-21 remain actively pending in the case. No new matter has been added. Reconsideration of the claim is respectfully requested.

In paragraph 2 on page 2 of the Office Action, claims 12-17 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Applicants respectfully traverse the rejection, but in the interest of prosecution have amended claims 12 and 17 and submit that claims 12 and 17 are in condition for allowance. Therefore, in view of the above remarks, Applicants respectfully request that Examiner withdraw the rejections.

In paragraph 4 on page 3 of the Office Action, claims 1-19 were rejected under 35 USC §102(e) as being anticipated by Niamir (US Pub. No. 2002/0027567). Applicants respectfully traverse the rejection.

With respect to claims 1 and 18, Niamir fails to teach or suggest at least said user providing an initial authorization for managing of said at least one image file by said server. Rather, Niamir discloses that a user is authenticated by sending a user ID and password to an authentication server 64. If the user is authenticated, the user can have the user's listing 30 synchronized with and saved at a central search server (CSS) 16. *See* [0099]. However, in Niamir, the user does not provide an initial authorization for managing an image file by the server. Therefore, in view of the above remarks, Applicants respectfully submit that claim 1 is patentable over the cited reference.

With respect to claim 2, Niamir fails to teach or suggest at least said server automatically creating a copy of said at least one image file in said digital image media collection, said copy having a resolution lower than said predetermined resolution for utilization by said server. Rather, Niamir discloses that an attachment (i.e., file) that is smaller (i.e., has less bytes) than a predetermined threshold, may be cached to a server (i.e., distributed local listing server (DLL)). *See* [0165]. However, Niamir does not create a lower resolution

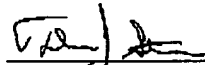
copy of the attachment. Therefore, in view of the above remarks, Applicants respectfully submit that claim 2 is patentable over the cited reference.

With respect to claim 18, Niamir fails to teach or suggest at least creating a copy of said at least one digital image file at a resolution lower than said at least one digital image file stored on said remote computer, storing said copy in a low resolution digital image collection associated with said user on said server, and periodically accessing said digital media collection by said server for updating said low resolution digital image collection with low resolution copies of new digital media files stored in said digital media collection on said remote computer. As discussed above with respect to claim 2, Niamir discloses that an attachment (i.e., file) that is smaller (i.e., has less bytes) than a predetermined threshold, may be cached to a server (i.e., distributed local listing server (DLL)). See [0165]. However, Niamir does not create a lower resolution copy of the attachment nor store a copy in a low resolution digital image collection associated with said user on the server. Further, Niamir does not disclose periodically accessing the digital media collection by the server for updating the low resolution digital image collection.

In view of the above remarks, Applicants respectfully submit that claims 1 and 18 are patentable over the cited references. Rejected independent claims 12 and 17 recite one or more feature generally similar to those of claims 1 and 18 discussed above and, for similar reasons as discussed above, are believed to be patentable over the cited reference. Because claims 2-11, 13-16 and 19-21 depend from claims 1, 12 and 18, respectively, and include the features recited in the independent claims as well as additional features, Applicants respectfully submit that claims 2-11, 13-16 and 19-21 are also patentably distinct over the cited reference. Nevertheless, Applicants are not conceding the correctness of the Examiner's rejection with respect to such dependent claims and reserves the right to make additional arguments if necessary.

In view of the foregoing it is respectfully submitted that the claims in their present form are in condition for allowance and such action is respectfully requested.

Respectfully submitted,



Attorney for Applicant(s)
Registration No. 53,950

Thomas J. Strouse/phw
Rochester, NY 14650
Telephone: 585-588-2728
Facsimile: 585-477-4646

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.